



City of
Peterborough

COMMITTEE OF ADJUSTMENT

HEARING DATE: February 23, 2010

Staff Comments Regarding Files: B01//10, A02/10 & A03/10

B01/10 & A02/10 - 1607, 1619& 1633 Lansdowne Street West - 1494282 Ontario Inc.

The three properties have been acquired by one owner and have consolidated as one property. The owner is proposing to sever the northerly 75.65 metres of property from the southerly 1.62 hectares of land. The purpose is to separate ownership of the lands designated for commercial development in relation to Lansdowne Street from the retained lands that will form a part of a future plan for residential subdivision. A variance application is also filed requesting a reduction of the minimum lot area regulation of the southerly property from 16 hectares to 1.62 hectares and for relief from Section 6.5 of the zoning by-law that would require a building lot to abut a street.

Since the application was filed, the owner has been negotiating with the adjacent property owner and has sent a letter requesting the Committee defer hearing this application to a future meeting of the Committee. Staff would not object to the Committee granting the request to defer the hearing of this application to the meeting scheduled for March 23, 2010.

A03/10 – 63 Weller Crescent - Jim Williams

The applicant would like to construct a dwelling on the property and is seeking variances to reduce the minimum building setback from the rear lot line from 12 metres (39.3 ft) to 10.43 metres (34.25 ft) for the dwelling and to 8 metres (26.42 ft) regarding an elevated deck attached to the dwelling as illustrated on the plan attached as Exhibit A.

The subject property is a 30 metre square lot that was severed from the adjacent lot to the north known municipally as 41 Weller Crescent. The well treed lot slopes to the south and east lending itself to a walk out building design. The applicant is proposing to construct a bungalow with a walkout design that would also be designed to accommodate an occupant that would be wheelchair bound. While the dwelling is large, the building would be designed with hallway widths and room sizes that are slightly larger than usual to accommodate the wheelchair within.

Referring to the Plan attached as Exhibit A, the dwelling is approximately 14 metres (45 ft) by 21 metres (70 ft). The building is situated to the north west corner of the lot and as close to the road allowance as possible still but requires the variances as described. While the standard rear yard setback for a typical residential lot is 7.6 metres (25 ft) the subject property has alternate zoning requiring a greater rear yard setback of 12 metres (39.3 ft).

Staff visited the property and considered the development and use of the adjacent properties and the street. Staff noted that the lot was well treed and if some of the trees were preserved they could provide a visual screen from the impact of the proposed building location. Staff also noted that there appears to be evidence of the need for attention to manage water flowing off of the property from both surface and perhaps sub surface sources. Considering that the two variances would result in development closer to the lower side of the lot, there would be less lot area available to handle the water between the building and adjacent properties. Staff is of the opinion that a detailed grading and drainage plan that may involve attention to sub-surface water management to the approval of the City' Subdivision Engineer should be required as a condition for approval of the variances.

Referring to the grading plan attached as Exhibit B, there appears to be challenges with the grades and more importantly the storm water run off from the property that are to be mitigated by the construction of a retaining wall along the south side of the property. Considering the size of the dwelling being proposed and the re-grading of the lot including the retaining wall that is proposed to manage water flow from the property, Staff would anticipate that many of the mature trees on the property will be lost.

While an approved grading plan would be required in conjunction with a building permit application for a dwelling that would conform with the zoning of this property, the application is for variances to permit a larger dwelling that what would be permitted on a large lot that would contribute to the challenge of managing post development drainage from the property.

Subject to concerns raised by neighbouring property owner's, Staff would not object to the Committee granting the two variances provided that the owner enter into a development agreement with the City that would provide a grading and storm water management plan for the property together with a plan for the preservation of trees on the property to the satisfaction of the Planner of Urban Design and the City Engineer.

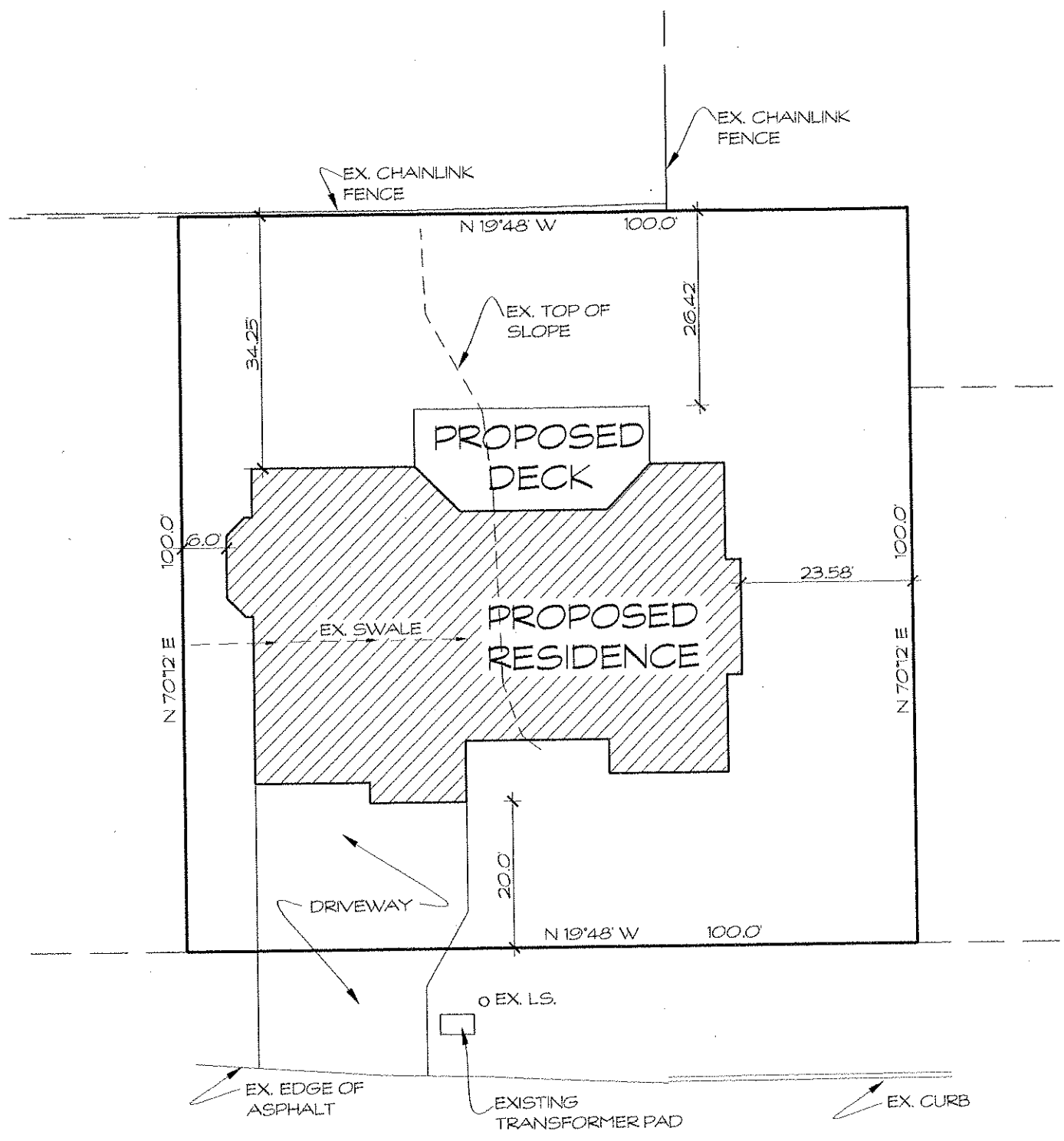
Respectfully submitted,



Richard Straka
Planner Policy & Research



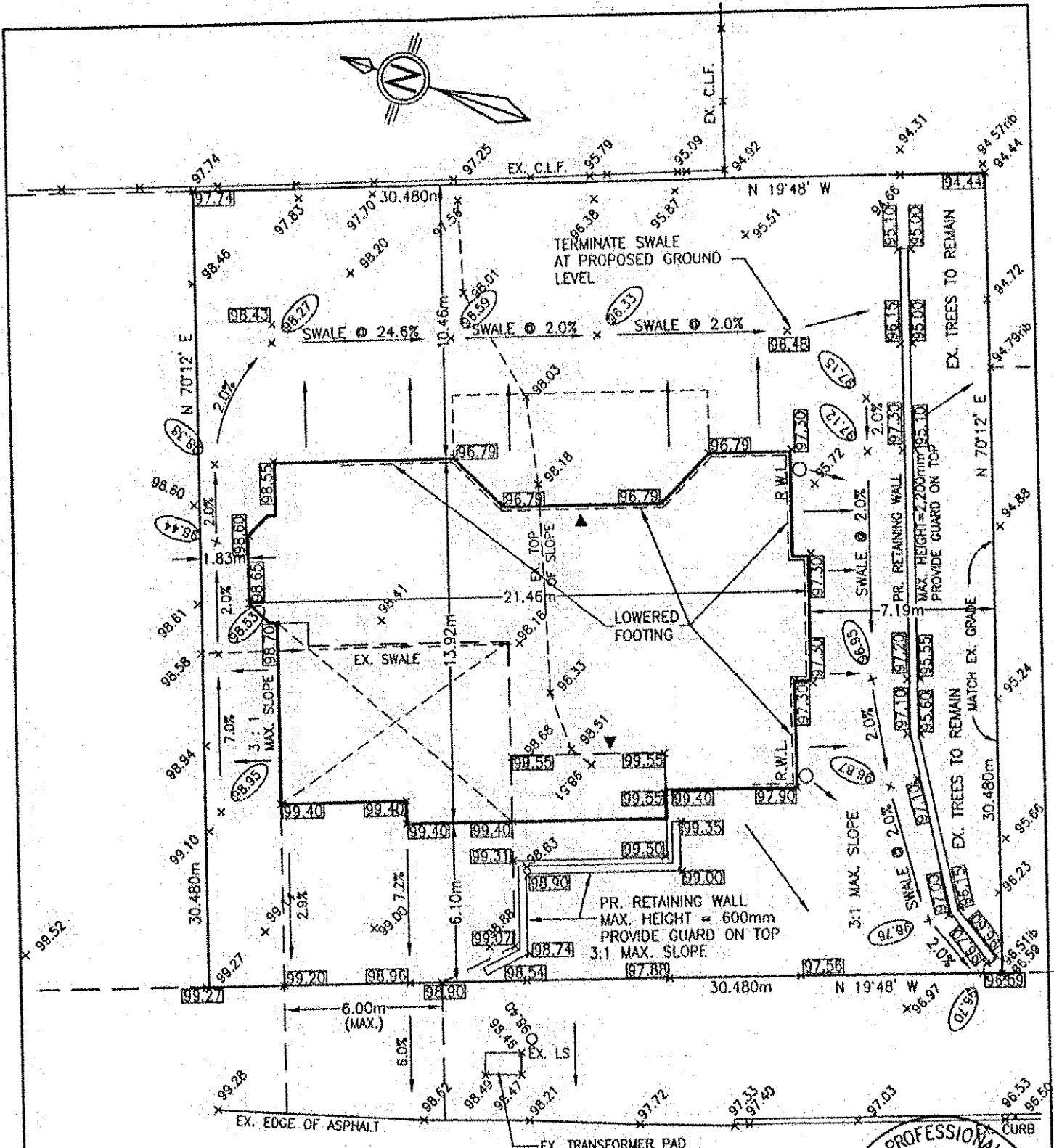
R. Waldron, C.E.T., CBCO
Manager, Building Division



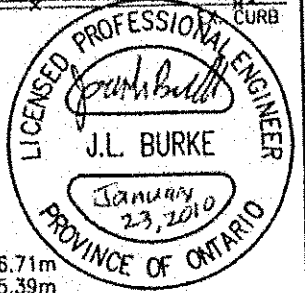
WELLER CRESCENT

PROPOSED SITE PLAN

SCALE: 1" = 20'-0"



WELLER CRESCENT



- LEGEND**
- ⊗ 100.00 BM
 - × EX. MH
 - × 99.99 EXISTING ELEVATION
 - × 99.99 PROPOSED SWALE BOTTOM ELEVATION
 - × 99.99 PROPOSED GROUND ELEVATION
 - EXISTING DRAINAGE
 - PROPOSED DRAINAGE
 - LOWERED FOOTING
 - EX. DRAINAGE LOCATION

BOTTOM OF FOOTING (UPPER) = 96.71m
 BOTTOM OF FOOTING (LOWER) = 95.39m
 BASEMENT FLOOR LEVEL = 96.94m
 TOP OF FOUNDATION WALL (UPPER) = 99.55m
 FRONT GARAGE FLOOR = 99.40m
 HOUSE STYLE: BARRIER FREE ACCESSIBLE WALKOUT BUNGALOW